

Remarks/Arguments:

This communication is in response to an Office Action dated July 14, 2005. Claims 1 to 16 are pending and stand rejected at present. Claim 36 is objected to. Independent claim 1 has been amended herein are made to place the application in condition for allowance. As such, applicants respectfully request reconsideration of this application.

Claims 1-7, and 9-16 were rejected under 35 U. S. C. 102(b) as being anticipated by disclosures in Walley (4,572,295), Peccoux et al. (4,918,121), or Peck (5,211,827). The limitations of claim 9 have been incorporated into claim 1. Claim 9 has been canceled.

Walley discloses methods of selectively reducing the water permeability of a subterranean formation (claim 1) by introducing the treatment agent into the formation through a shaft or well, and allowing the treatment agent to seep into the formation (col. 4, line 64 – col. 5, line 2). Applicants' believe Walley fails to teach a seal for use in a wellbore, but rather teaches using a wellbore as a conduit to deliver treatment agent to a formation adjacent the wellbore. Hence, Walley does not anticipate Applicants' invention as claimed.

Peccoux teaches an organopolysiloxane composition curable into elastomeric state in a confined atmosphere, comprising an organopolysiloxane, crosslinking agent, inorganic fillers, and hydrogel, where the hydrogel comprises colloidal hydrogel and water (claim 1). The curable composition may serve to form a seal (claim 8) for use in the industrial, construction, and automobile industries where water (moisture) available for curing the organopolysiloxane composition must be contained within the composition (col. 2, lines 52 – 56). Peccoux does not teach the use of a curable organopolysiloxane composition to form a wellbore seal as claimed by the applicants. As such, Peccoux does not anticipate Applicants' invention.

Peck discloses an electrochemical cell comprising an anode, anolyte, cathode, catholyte, the catholyte having a different pH when compared to the anolyte, and a membrane which includes hydrogel dispersed in a matrix where the. Applicant's

respectfully point out that Peck fails to teach Walley fails to teach a seal for use in a wellbore. Therefore, Peck does not anticipate Applicants' invention as claimed.

Claims 8 were rejected under 35 U. S. C. 103(a) as being unpatentable over Peccoux et al. (4,918,121). Claim 1 is amended herein, and claim 8 depends upon amended claim 1. Applicants respectfully point out that the limitations of claim 9 have been incorporated into claim 1.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If the Examiner believes that the prosecution of the application would be facilitated by a telephone interview, Applicants invite the Examiner to contact the undersigned at 281-285-8606. The Commissioner is authorized to charge any additional required fee, or credit any excess fee paid, to Deposit Account 04-1579 (56.0736).

Respectfully submitted,



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